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In 1994 Professor Joyce Lee Malcolm of Boston area Bentley College, published by Harvard University press wrote a study on the historical background of the Constitution. The professor provides evidence that legal tradition for untrammelled gun ownership dates back to the Plymouth Colony. In 1623 Plymouth's elders promulgated a measure ordering that Quote "every freeman or other inhabitant of this colony provide for himselfe and each under him able to beare arms a sufficient musket and other serviceable peece of war... with what speede may be." Professor Malcolm discovered that most colonial enactments regarding firearms dealt with the need for guns, not their ill effects, in part because gun ownership was a right in England before the revolution.

Thomas Jefferson wrote "I am for relying, for internal defence, on our militia solely, till actual invasion." The preference of most 'founding fathers' was for a general, or universal militia, started by all able-bodied, free adult male citizens, unselected by authorities, and called to service only in times of emergency. The founding fathers argued that the ownership of guns was a "natural right of resistance and self preservation" see the Unanimous Declaration of Independence. These ideals manifested itself into the Second Amendment. The Second Amendment seeks to

(2)

accomplish 2 goals (1) To guarantee the individuals right to have arms and (2) That these private arms could be used to afford the people means to vindicate their liberties.

— United States v Place 462 US 696

United States Supreme Court ruled that the defendant's 4th Amendment right was violated when the police seized his luggage — even though cocaine was found. Cocaine is not protected under ~~the 9th~~ <sup>the 4th</sup> Amendment, but his luggage under the right of privacy is protected via the amendments. When ~~the~~ trooper Casey

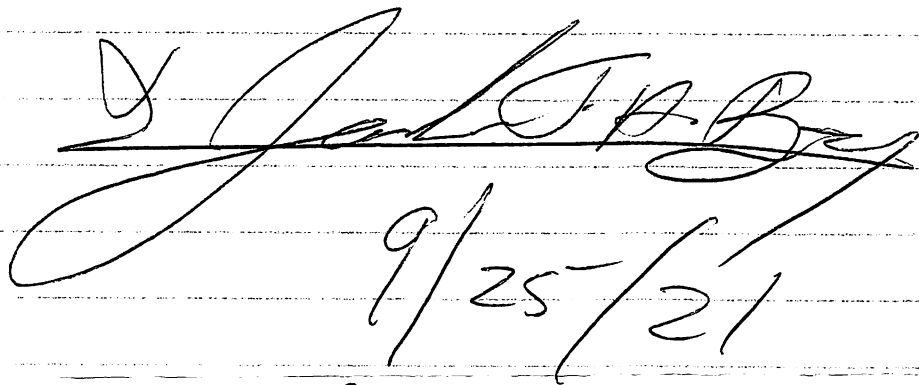
stopped us and seized us by not allowing us to continue on our journey and continued to investigate us with questions he violated our rights under the bill of rights by

unlawfully stopping us without due process of law. We were denied the constitutional right to leave after asking if the police had probable cause for an arrest. See *Davila v City of Camden* 66 F Supp 3d 529

"the other type of police contact... a 'mere inquiry'... a party is free to... walk away from the officer." — But after asking if we were free to go since the police verbally expressed a lack of probable cause, we were denied, thus detained and seized unconstitutionally.

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State v. Sheffield 62 NJ 441 447  
 303 A.2d 68 cert. "a mere field  
 interrogation is constitutional so long as  
 the officer does not deny the individual  
 the right to move." — Trooper Casey  
 had no reason, probable cause, reasonable  
 suspicion nor constitutional or job or  
 duty specific obligation to get behind  
 an already stopped vehicle, turn on his  
 bright white lights, get out of his  
 vehicle and speak to anyone nor detain  
 us, nor escalate the situation up until  
 an unconstitutional arrest.

 J. A. Brey

9/25/21

Appt Call 1-20